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Attorneys for Plaintiffs
ACE American Insurance Company,
Illinois Union Insurance Company,
Westchester Surplus Lines Insurance Company,
and Westchester Fire Insurance Company

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ACE AMERICAN INSURANCE COMPANY,
ILLINOIS UNION INSURANCE COMPANY,
WESTCHESTER SURPLUS LINES
INSURANCE COMPANY, and
WESTCHESTER FIRE INSURANCE
COMPANY,

Plaintiffs,

-against-

WACHOVIA INSURANCE AGENCY INC.
d/b/a E-RISK SERVICES, and SCOTTSDALE
INSURANCE COMPANY,

Defendants.

Civil Action No. _____

**NOTICE OF APPLICATION
FOR EMERGENCY RELIEF**

TO:

WACHOVIA INSURANCE AGENCY INC.
d/b/a E-RISK SERVICES
301 South College Street
Charlotte, North Carolina 28288

GREENBAUM ROWE SMITH & DAVIS, LLP
75 Livingston Avenue
Roseland, New Jersey 07068
Attorneys for Wachovia Insurance Agency Inc.
d/b/a E-Risk Services

SCOTTSDALE INSURANCE COMPANY
8877 North Gainey Center Drive,
Scottsdale, Arizona 85258

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One Prudential Plaza, Suite 3800
130 East Randolph Street
Chicago, Illinois 60601
Attorneys for Scottsdale Insurance Company

PLEASE TAKE NOTICE that on Tuesday, September 2, 2008, at 2:00 p.m. or as soon thereafter as counsel may be heard, Plaintiffs ACE American Insurance Company, Illinois Union Insurance Company, Westchester Surplus Lines Insurance Company, and Westchester Fire Insurance Company, by and through their attorneys, will apply to the United States District Court for the District of New Jersey for emergency relief by way of the entry of an Order To Show Cause With Temporary Restraints pursuant to Fed.R.Civ.P. 65 and L.Civ.R. 65.1, at the Martin Luther King Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101.

PLEASE TAKE FURTHER NOTICE that in support of this application, Plaintiffs will rely upon the Verified Complaint, Memorandum of Law, Declaration of David Lupica, and Declaration of Maria Roman being filed herewith. The form of Order To Show Cause With Temporary Restraints whose entry Plaintiffs seek is provided with this Notice.

Dated: September 2, 2008

Respectfully submitted:

/s/ Thomas R. Curtin

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